

1

2

3

4

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

5

6

HAMID AMIRI,

7

Plaintiff,

8

v.

9

BAY HARBOUR CARE HOME, et al.,

10

Defendants.

11

Case No.[15-cv-03994-JSC](#)

12

**ORDER GRANTING MOTION TO
COMPEL IN PART**

13

Re: Dkt. No. 66

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

Now pending before the Court is the parties' joint discovery letter brief regarding Plaintiff's deposition. (Dkt. No. 66.) Defendants took Plaintiff's deposition for more than seven hours on February 1, 2016. Defendants' counsel unilaterally stopped questioning Plaintiff stating that she wanted to meet and confer about additional time. She also stated that she had about two or three hours more of questioning. (Dkt. No. 66-1 at 3.) Plaintiff expressed a desire to finish the deposition that day and Plaintiff's counsel did not agree to make his client available for further deposition. (*Id.*) Discovery closed in January 2017 without Defendants attempting to complete Plaintiff's deposition. They now seek to do so.

As Plaintiff is the primary witness in this significant case a deposition of more than seven hours is warranted. The Court also understands why Defendants' counsel would have wanted to stop the deposition at 5:30 p.m. as attorneys also have lives outside of their jobs. Counsel, however, should have made arrangements for a second deposition in advance of the first and at a minimum should have attempted to continue the deposition before the close of fact discovery. Nevertheless, given the significant amount of money at stake in this lawsuit, Defendants may take Plaintiff's deposition for an additional 2.5 hours, the amount of time counsel stated she needed to complete her questioning. The deposition should be scheduled at a time and location that is

1 convenient to Plaintiff.

2 This Order disposes of Docket No. 66.

3 **IT IS SO ORDERED.**

4 Dated: August 21, 2017

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

JACQUELINE SCOTT CORLEY
United States Magistrate Judge